

LAW OFFICE OF  
HAYES & WELSH  
A PROFESSIONAL CORPORATION  
199 NORTH ARROYO GRANDE BLVD., SUITE 200  
HENDERSON, NEVADA 89074  
(702) 434-3444 FAX (702) 434-3739

MARTIN L. WELSH, ESQ.  
Nevada Bar No. 008720  
LAW OFFICE OF HAYES & WELSH  
199 N. Arroyo Grande Blvd., Suite 200  
Henderson, Nevada 89074  
Telephone: (702) 434-3444  
Facsimile: (702) 434-3739  
E-mail: [mwelsh@lvlaw.com](mailto:mwelsh@lvlaw.com)  
[k.bratton@hayesandwelsh.onmicrosoft.com](mailto:k.bratton@hayesandwelsh.onmicrosoft.com)

--and--

LARRY W. CAUDLE, JR., *Admitted Pro Hac Vice*  
JONATHAN J. STRAW, *Admitted Pro Hac Vice*  
KRAFTSON CAUDLE  
1600 Tysons Boulevard, Suite 250  
McLean, Virginia 22102  
Telephone: (703) 873-5500  
E-mail: [lcaudle@kraftsoncaudle.com](mailto:lcaudle@kraftsoncaudle.com)  
[jstraw@kraftsoncaudle.com](mailto:jstraw@kraftsoncaudle.com)

*Attorneys for Archer Western Contractors, LLC,*

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

FISK ELECTRIC COMPANY,  
Plaintiff/Counterclaim Defendant,

v.

ARCHER WESTERN CONTRACTORS,  
LLC,  
Defendant/Counterclaim Plaintiff,

v.

SAFECO INSURANCE COMPANY OF  
AMERICA,  
Counterclaim Defendant.

ARCHER WESTERN CONTRACTORS,  
LLC,  
Third-Party Plaintiff,

v.

GALLAGHER-KAISER CORP.,

and

Case No. 2:20-cv-02341-GMN-DJA

**STIPULATION AND PROPOSED  
ORDER TO DISMISS THIRD-PARTY  
DEFENDANTS HEINAMAN  
CONTRACT GLAZING, INC.;  
SURETEC INSURANCE COMPANY  
INC.; AND TRAVELERS CASUALTY  
AND SURETY COMPANY OF  
AMERICA, AS SURETY FOR AWC  
(ALONE)**

LAW OFFICE OF  
**HAYES & WELSH**  
 A PROFESSIONAL CORPORATION  
 199 NORTH ARROYO GRANDE BLVD., SUITE 200  
 HENDERSON, NEVADA 89074  
 (702) 434-3444 FAX (702) 434-3739

ARCH INSURANCE COMPANY,  
 and  
 HEINAMAN CONTRACT GLAZING, INC.  
 and  
 SURETEC INSURANCE COMPANY,  
 and  
 THE ERECTION COMPANY, INC.  
 and  
 TRAVELERS CASUALTY AND SURETY  
 COMPANY OF AMERICA

Third-Party Defendants.

**STIPULATION AND PROPOSED  
 ORDER TO DISMISS THIRD-  
 PARTY DEFENDANTS HEINAMAN  
 CONTRACT GLAZING, INC.;  
 SURETEC INSURANCE COMPANY  
 INC.; AND TRAVELERS CASUALTY  
 AND SURETY COMPANY OF  
 AMERICA, AS SURETY FOR AWC  
 (ALONE)**

Pursuant to L.R. 7-1, Defendant/Third-Party Plaintiff Archer Western Contractors, LLC (“AWC”) and Third-Party Defendants Heinaman Contract Glazing, Inc. (“HCG”) and SureTec Insurance Company (“SureTec”), and Travelers Casualty and Surety Company of America, as surety for AWC (“Travelers-AWC”) hereby submit this stipulation and proposed order.

1. AWC, HCG, SureTec, and Travelers-AWC move to dismiss HCG and SureTec, from this case and the claims and counts among AWC, HCG, SureTec, and Travelers-AWC, with prejudice as AWC, HCG, SureTec, and Travelers-AWC have resolved all disputes among them related to the facts or circumstances pleaded by AWC, HCG, SureTec, and Travelers-AWC in this action.

2. AWC, on one hand, and HCG and SureTec, on the other hand, shall each bear their own costs and attorney’s fees.

3. Notwithstanding any term to the contrary and as against each other only, SureTec and HCG each reserve all rights and defenses under the applicable indemnity agreement(s) and collateral receipt between them.

4. This Stipulation of Dismissal With Prejudice applies entirely to Third-Party Defendants HCG and SureTec.

LAW OFFICE OF  
**HAYES & WELSH**  
A PROFESSIONAL CORPORATION  
199 NORTH ARROYO GRANDE BLVD., SUITE 200  
HENDERSON, NEVADA 89074  
(702) 434-3444 FAX (702) 434-3739

1  
2           5.       This Stipulation of Dismissal With Prejudice applies entirely to all claims and  
3 counts by, between, and/or among AWC, HCG, SureTec, and Travelers-AWC.

4           6.       Travelers Casualty and Surety Company of America, in its capacity as surety for  
5 The Erection Company, Inc., will remain and is not dismissed as a Third-Party Defendant in  
6 this action.

7           7.       Travelers Casualty and Surety Company of America, in its capacity as surety for  
8 Archer Western Contractors, LLC, will remain and is not dismissed as a Third-Party Defendant  
9 in this action.

10          8.       Travelers-AWC does not release or waive any of its rights under any indemnity  
11 agreement entered into as consideration for executing bonds.

12       ///

13       ///

14       ///

15       ///

16       ///

17       ///

18       ///

19       ///

20       ///

21       ///

22       ///

23       ///

24       ///

25       ///

26       ///

27

28

LAW OFFICE OF  
**HAYES & WELSH**  
 A PROFESSIONAL CORPORATION  
 199 NORTH ARROYO GRANDE BLVD., SUITE 200  
 HENDERSON, NEVADA 89074  
 (702) 434-3444 FAX (702) 434-3739

WHEREFORE, AWC, HCG, SureTec, and Travelers-AWC request an order dismissing, with prejudice: (1) HCG and SureTec from this case and (2) all claims and/or counts by, between, and among AWC, HCG, SureTec, and Travelers-AWC.

DATED this 21st day of July, 2021.

LAW OFFICE OF HAYES & WELSH

PEEL BRIMLEY, LLP

By: /s/ Martin L. Welsh

By: /s/ Steven Meacham

Martin L. Welsh Esq.  
 Nevada State Bar No. 008720  
 199 N. Arroyo Grande Blvd., Ste. 200  
 Henderson, Nevada 89074

Steven Meacham, Esq.  
 Nevada State Bar No. 009863  
 3333 East Serene Ave, Suite 200  
 Henderson, Nevada 89074

--and--

KRAFTSON CAUDLE

*Attorneys for Heinaman Contract  
 Glazing, Inc.*

By: /s/ Jonathan J. Straw

Larry W. Caudle, Jr., Esq.  
 Jonathan J. Straw, Esq.  
 1600 Tysons Boulevard, Suite 250  
 McLean, Virginia 22102

*Attorneys for Archer Western Contractors, LLC*

LAW OFFICES OF  
 DAVID R. JOHNSON, PLLC

THE FAUX LAW GROUP

By: /s/ David R. Johnson

By: /s/ Jordan F. Faux

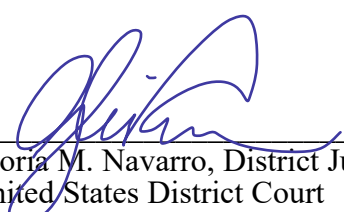
David R. Johnson, Esq.  
 Nevada State Bar No. 006696  
 8712 Spanish Ridge Avenue  
 Las Vegas, Nevada 89148  
*Attorneys for SureTec Insurance Co.*

Jordan Ford Faux, Esq.  
 Nevada State Bar No. 12205  
 2625 North Green Valley Pkwy., #100  
 Henderson, Nevada 89014  
*Attorneys for Travelers Casualty and  
 Surety Company of America (as surety  
 for AWC alone)*

**ORDER**

**IT IS SO ORDERED.**

Dated this 23 day of July, 2021.

  
 Gloria M. Navarro, District Judge  
 United States District Court